

BRETT OLIN
Office of the Montana State Auditor
Commissioner of Securities and Insurance
840 Helena Avenue
Helena, MT 59601
(406) 444-5234

Attorney

OFFICE OF THE MONTANA STATE AUDITOR
COMMISSIONER OF SECURITIES AND INSURANCE

IN THE MATTER OF:)	
)	CASE NO.
)	
CROSSLINK CAPITAL)	
INVESTMENT, not to be confused)	
with Crosslink Capital Inc.)	
,)	NOTICE OF PROPOSED AGENCY
)	ACTION, TEMPORARY ORDER TO
)	CEASE AND DESIST, AND
)	OPPORTUNITY FOR HEARING
)	
Respondent.)	
)	
)	

The Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI), pursuant to the authority of the Securities Act of Montana, Mont. Code Ann. § 30-10-101 et seq. (the Act), sets forth the following allegations of fact, conclusions of law, notice of agency action, temporary order to cease and desist, and notice of right to a hearing. The Commissioner has authority to take such action under §§ 30-10-102, 30-10-107, 30-10-304, 30-10-201, 30-10-202, 30-10-301, 30-10-304, 30-10-305, 30-10-309, 30-10-325, and 30-10-327. Service of process is pursuant to § 30-10-107(8).

REASONS FOR ACTION

There is reasonable cause to believe that the following facts, if true, justify and support this action against Respondent, including imposition of appropriate fines, restitution, and an order requiring Respondent to cease and desist its business in Montana.

ALLEGATIONS OF FACT

1. Respondent is a company operating an advertisement on Craigslist “Get Your Finances Back On Track.” The advertisement claims “invest with \$2,000 and get a return of \$5,000 in 48 hours.”
2. CSI identified the email address of crosslinkcapitalinvestment@gmail.com. This appears to be a spoof of the legitimate corporation of CROSSLINK CAPITAL, INC. The CSI affirmed that CROSSLINK CAPITAL, INC. has no affiliation with crossliinkcapital investment or any related entity.
3. Respondent claims to provide investment betting in online sport betting arenas through professional traders and highly profitable fund management schemes. Investors send money in different price amounts to then be utilized by the bet managers and then split a portion of the gains accumulated.
4. Respondent offers various investment packages:
 - a) \$200 returns \$5,000 after 48 hours
 - b) \$300 returns \$7,000 after 48 hours
 - c) \$400 returns \$8,500 after 48 hours
 - d) \$700 returns \$15,700 after 48 hours
5. Respondent requests the following information in order to receive access to its website:
 - a) Name
 - b) Occupation
 - c) Address

- d) City
 - e) State
 - f) Country
 - g) Age
 - h) Nationality
 - i) Valid Mobile Number
 - j) Amount to Invest
6. Respondent claims that no fees or commissions are charged and that their investment profits are earned on the remainder following the returned investment amount.
7. Respondent's phone number is listed a Detroit, MI phone number. Contact by phone was difficult due to bad connections. The individual who answered phone would not indicate who the investment business was operated through and opted to continue through text message. After attempting to request where the investment proceeds were to be sent, no further communication was received.
8. The Montana Secretary of State's office shows no listing for the business name crosslinkcapital investment or crossliinkcapital investment.
9. No physical address was able to be identified through internet or other means.
10. Respondent has never been, and currently is not, registered as a securities issuer with the CSI. The CSI is not aware of any employee of Respondent that is registered as a securities salesperson in Montana.

CONCLUSIONS OF LAW

1. The Commissioner of Securities and Insurance, Montana State Auditor (Commissioner), has jurisdiction over this matter pursuant to § 30-10-101 et seq.
2. A "person" is an individual, a corporation, a partnership, or an association. § 30-10-103(16).
3. Respondent is a "person" as defined under § 30-10-103(16).

4. It is unlawful for a person to transact business in Montana as a broker-dealer or salesperson unless the person is registered with the CSI or subject to an exemption. § 30-10-201(1).
5. The opportunity provided by the Respondent is an investment contract pursuant to § 30-10-103(22)(a)(xii).
6. Respondent violated § 30-10-201(1) when it offered a security in Montana without being properly registered or subject to a registration exemption.
7. It is unlawful for a person to offer or sell any security in Montana unless the security is registered with the CSI by notification, coordination, or qualification, or subject to an exemption. § 30-10-202.
8. Respondent violated § 30-10-202 when it offered securities in Montana without the benefit of a registration exemption.

RELIEF REQUESTED

WHEREFORE, the CSI seeks the following relief:

1. Pursuant to § 30-10-305, imposition of a fine not to exceed \$5,000 for each identifiable violation of the Act, or a fine not to exceed \$20,000 per violation if Respondent has willfully engaged in an act or practice that affected a vulnerable person.
2. Pursuant to § 30-10-305, an order permanently enjoining Respondent from soliciting, offering, or selling participation in Respondent's investment scheme in Montana.
3. Pursuant to § 30-10-305, an order permanently enjoining Respondent from offering or selling securities in Montana or to Montana residents.
4. Pursuant to § 30-10-309, restitution for all financial losses incurred by all Montana participants in Respondent's investment scheme.

5. Any other relief deemed just and proper.

PENALTIES

Pursuant to § 30-10-305, a violation of this Order is a separate violation for which the CSI may impose a fine not to exceed \$5,000 per violation in addition to any other penalties imposed by law.

STATEMENT OF RIGHTS

You are entitled to a hearing to respond to this Notice of Proposed Agency Action and Opportunity for a Hearing (Notice), and to present evidence and arguments on all issues involved in this case. You may demand a formal hearing before a hearing examiner appointed by the Commissioner pursuant to the Montana Administrative Procedure Act, §§ 2-4-601 et seq., including § 2-4-631. If you demand a hearing, you will be given notice of the time, place, and the nature of the hearing.

If you wish to contest the proposed action, you must make a written request for a hearing within 15 days of receipt of this Notice. You must advise the Commissioner of your intent to contest the proposed action by writing to:

Office of the Montana State Auditor
c/o Brett Olin
840 Helena Avenue
Helena, MT 59601

Should you request a hearing, you have the right to be accompanied, represented, and advised by an attorney. If the attorney you choose has not been admitted to the practice of law in the state of Montana, she or he must comply with the Montana State Bar for appearing *pro hac vice* and the requirements of *Application of American Smelting and Refining Co.*, 164 Mont. 139, 520 P.2d 103 (1973) and *Montana Supreme Court Commission on the Unauthorized Practice of*

Law v. O'Neil, 2006 MT 284, 334 Mont. 311, 147 P.3d 200. If you request a hearing, you will be given notice of the date, time, and place of the hearing.

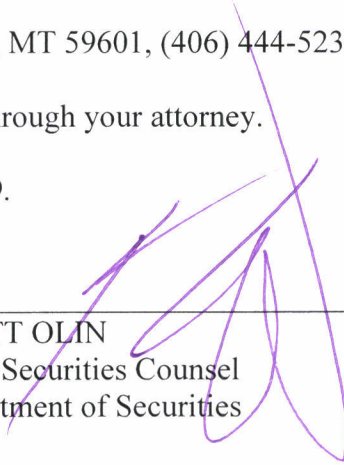
POSSIBILITY OF DEFAULT

Failure to give notice or to advise of your demand for a hearing or informal procedure within 15 days will result in the entry of a default order imposing the disciplinary sanctions against you without further notice to you, pursuant to Mont. Admin. R. 6.2.101, and the Attorney General's Model Rule 10, Mont. Admin. R. 1.3.214.

CONTACT WITH COMMISSIONER'S OFFICE

If you have questions or wish to discuss this matter, please contact Brett Olin, attorney for the CSI, at 840 Helena Avenue, Helena, MT 59601, (406) 444-5234. If you retain counsel, please make any contacts with this office through your attorney.

DATED this 15th day of July, 2019.



BRETT OLIN
Chief Securities Counsel
Department of Securities

TEMPORARY CEASE AND DESIST ORDER

Pursuant to § 30-10-305, it appears to the CSI that Respondent has engaged, is engaged, and is about to engage in acts or practices constituting violations of the Securities Act of Montana.

Therefore, it is hereby ORDERED that Respondent shall immediately cease and desist from transacting any business in Montana involving securities. This Order shall remain in effect until 10 days after the hearing examiner issues proposed findings of fact and conclusions of law and a proposed order. It will become final if the Respondent does not request a hearing within 15 days.

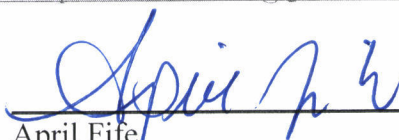
DATED this 15th day of July, 2019.

MATTHEW M. ROSENDALE, SR.
Commissioner of Securities and Insurance
Montana State Auditor

By: 
LYNNE EGAN
Deputy Securities Commissioner

CERTIFICATE OF SERVICE

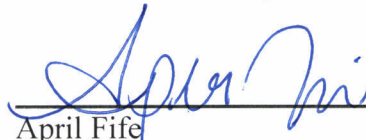
I hereby certify that a true and accurate copy of the Notice of Agency Action, Temporary Order to Cease and Desist, and Opportunity for Hearing was left with the Commissioner and published on the CSI's website on the date the Notice of Proposed Agency Action and Cease and Desist Order were issued. This was done pursuant to the Mont. R. of Civ. Proc. 5(b)(2)(D). This was also served via email at crosslinkcapitalinvestment@gmail.com



April Fife
Securities Compliance Technician

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the Notice of Agency Action, Temporary Order to Cease and Desist, and Opportunity for Hearing was left with the Commissioner and published on the CSI's website on the date the Notice of Proposed Agency Action and Cease and Desist Order were issued. This was done pursuant to the Mont. R. of Civ. Proc. 5(b)(2)(D). This was also served via email at crosslinkcapitalinvestment@gmail.com.

A handwritten signature in blue ink, appearing to read "April Fife", is written over a horizontal line.

April Fife
Securities Compliance Technician